

Attorney or Party Name, Address, Telephone & FAX Nos., State Bar No. & Email Address  D. EDWARD HAYS, #162507 ehays@marshackhays.com DAVID A. WOOD, #272406 dwood@marshackhays.com TINHO MANG, #322146 tmang@marshackhays.com MARSHACK HAYS LLP 870 Roosevelt Irvine, CA 92620 Telephone: (949) 333-7777 Facsimile: (949) 333-7778  <input type="checkbox"/> Individual appearing without attorney <input checked="" type="checkbox"/> Attorney for: Chapter 7 Trustee, RICHARD A. MARSHACK	FOR COURT USE ONLY
<b>UNITED STATES BANKRUPTCY COURT CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION</b>	
In re: ULTIMATE BRANDS, INC.          Debtor(s).	CASE NO.: 8:19-bk-12516-TA CHAPTER: 7          <b>NOTICE OF SALE OF ESTATE PROPERTY</b>

<b>Sale Date:</b> December 17, 2019	<b>Time:</b> 11:00 a.m.
<b>Location:</b> United States Bankruptcy Court, Central District of California, Ronald Reagan Federal Building and Courthouse, 411 West 4 <sup>th</sup> Street, Santa Ana, Courtroom 5B, 5 <sup>th</sup> Floor, California 92701	

**Type of Sale:** ☒ Public ☐ Private **Last date to file objections:** December 3, 2019

**Description of property to be sold:** Estate's interest in all of Debtor's assets which a prospective buyer wishes to purchase pursuant to an asset purchase agreement to be submitted to the Trustee for his evaluation as a qualifying bid

**Terms and conditions of sale:** Sales may be free & clear of all liens, claims, and encumbrances upon request in bid package. The sale is as-is, and "with all faults," with no warranties, and is subject to overbid on the terms specified in the sale motion filed on November 26, 2019, as Dk. No. 247,

**Proposed sale price:** Initial bid

**Overbid procedure (if any):** The proposed sale is subject to overbids. The overbidding procedures are described in \_\_\_\_\_  
Overbid section in the sale motion filed November 26, 2019, as Dk. No. 247. Each interested party must submit a \_\_\_\_\_  
qualifying bid including an earnest money deposit in order to participate in the auction. The minimum increment is \$5,000. \_\_\_\_\_

**If property is to be sold free and clear of liens or other interests, list date, time and location of hearing:**

December 17, 2019 \_\_\_\_\_

United States Bankruptcy Court, Central District of California \_\_\_\_\_

411 West 4<sup>th</sup> Street, Santa Ana, California 92701 \_\_\_\_\_

Courtroom 5B, Fifth Floor \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Contact person for potential bidders (include name, address, telephone, fax and/or email address):**

D. Edward Hays / Tinho Mang \_\_\_\_\_

ehays@marshackhays.com / tmang@marshackhays.com \_\_\_\_\_

MARSHACK HAYS LLP \_\_\_\_\_

870 Roosevelt \_\_\_\_\_

Irvine, CA 92620 \_\_\_\_\_

Telephone: (949) 333-7777 \_\_\_\_\_

Facsimile: (949) 333-7778 \_\_\_\_\_

\_\_\_\_\_

Date: November 26, 2019 \_\_\_\_\_

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:  
870 Roosevelt, Irvine, CA 92620

A true and correct copy of the foregoing document entitled: **NOTICE OF SALE OF ESTATE PROPERTY** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

**1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On **November 26, 2019**, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

☒ Service information continued on attached page

**2. SERVED BY UNITED STATES MAIL:**

On **November 26, 2019**, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

**MAIL REDIRECTED TO TRUSTEE**

**08/13/19**

**DEBTOR**

ULTIMATE BRANDS INC  
30821 SEMINOLE PL  
LAGUNA NIGUEL, CA 92677-2456

☐ Service information continued on attached page

**3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL:** Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on **November 26, 2019**, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

**VIA PERSONAL DELIVERY**

**PRESIDING JUDGE'S COPY**

Bankruptcy Judge Honorable Theodor C. Albert.  
U. S. Bankruptcy Court – Central District  
411 W. Fourth Street, Suite 5085 / Courtroom 5B  
Santa Ana, CA 92701

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

November 26, 2019  
\_\_\_\_\_  
Date

Cynthia Bastida  
\_\_\_\_\_  
Printed Name

/s/ Cynthia Bastida  
\_\_\_\_\_  
Signature

1. **TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF):** (continued)

- **ATTORNEY FOR INTERESTED PARTY MAXIM COMMERCIAL CAPITAL, LLC:** Andrew K Alper aalper@frandzel.com, rsantamaria@frandzel.com
- **ATTORNEY FOR CREDITOR LIPT WINCHESTER ROAD, INC.:** Dana M Andreoli dandreoli@steyerlaw.com, sleshin@steyerlaw.com
- **ATTORNEY FOR CREDITOR 660 BVD, LLC:** Keith Patrick Banner kbanner@greenbergglusker.com, sharper@greenbergglusker.com; calendar@greenbergglusker.com
- **ATTORNEY FOR UNITED STATES TRUSTEE (SA):** Frank Cadigan frank.cadigan@usdoj.gov
- **ATTORNEY FOR CREDITOR 600 ANTON BOULEVARD ASSOCIATES:** Caroline Djang caroline.djang@bbklaw.com, julie.urquhart@bbklaw.com; sansanee.wells@bbklaw.com; paul.nordlund@bbklaw.com
- **INTERESTED PARTY COURTESY NEF:** Timothy W Evanston tevanston@swelawfirm.com, gcruz@swelawfirm.com; lgarrett@swelawfirm.com; jchung@swelawfirm.com
- **ATTORNEY FOR UNITED STATES TRUSTEE (SA):** Michael J Hauser michael.hauser@usdoj.gov
- **ATTORNEY FOR CREDITOR CUTTING EDGE VENTURES INC.:** M. Jonathan Hayes jhayes@rhmfirm.com, roksana@rhmfirm.com; rosario@rhmfirm.com; janita@rhmfirm.com; susie@rhmfirm.com; max@rhmfirm.com; priscilla@rhmfirm.com; pardis@rhmfirm.com; russ@rhmfirm.com; rebecca@rhmfirm.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** D Edward Hays ehays@marshackhays.com, 8649808420@filings.docketbird.com
- **ATTORNEY FOR CREDITOR WILLIAM HARTER:** Joshua J Herndon jherndon@attorneygl.com, e-service@attorneygl.com
- **ATTORNEY FOR CREDITORS SHIPSHAPE COLLECTIVE OF FITCHBURG, LLC; CREDITOR JOHN SHAW; and CREDITOR MIDORI SHAW:** Nicholas S Kanter nkanter@lewitthackman.com
- **ATTORNEY FOR CREDITOR BLD CAPITAL, LLC:** Andy Kong Kong.Andy@ArentFox.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** Tinho Mang tmang@marshackhays.com, 8444806420@filings.docketbird.com
- **RICHARD A MARSHACK (TR):** Richard A Marshack (TR) pkraus@marshackhays.com, rmarshack@iq7technology.com
- **INTERESTED PARTY COURTESY NEF:** Robert S Marticello Rmarticello@swelawfirm.com, gcruz@swelawfirm.com; lgarrett@swelawfirm.com; jchung@swelawfirm.com
- **ATTORNEY FOR CREDITOR WHEATSTRONG ENTERPRISES and CREDITOR MICHAEL JOHN PATTERSON:** Eric A Mitnick MitnickLaw@aol.com, mitnicklaw@gmail.com
- **ATTORNEY FOR CREDITOR UNOFFICIAL COMMITTEE OF FRANCHISEES:** Douglas M Neistat dneistat@gbllawllp.com, mramos@gbllawllp.com
- **ATTORNEY FOR CREDITOR REGENCY CENTERS, LP:** Ernie Zachary Park ernie.park@bewleylaw.com
- **ATTORNEY FOR INTERESTED PARTY W. SCOTT GRIFFITHS:** Thomas J Polis tom@polis-law.com, paralegal@polis-law.com; r59042@notify.bestcase.com
- **ATTORNEY FOR CREDITOR UNOFFICIAL COMMITTEE OF FRANCHISEES:** Jeremy H Rothstein jrothstein@gbllawllp.com, mramos@gbllawllp.com
- **UNITED STATES TRUSTEE (SA):** United States Trustee (SA) ustpregion16.sa.ecf@usdoj.gov
- **ATTORNEY FOR DEBTOR ULTIMATE BRANDS INC:** Julie J Villalobos julie@oaktreelaw.com, oakecfmail@gmail.com; villalobosjr51108@notify.bestcase.com
- **INTERESTED PARTY:** Larry D Webb Webblaw@gmail.com, larry@webblaw.onmicrosoft.com
- **ATTORNEY FOR TRUSTEE RICHARD A MARSHACK (TR):** David Wood dwood@marshackhays.com, 8649808420@filings.docketbird.com
- **ATTORNEY FOR CREDITOR 660 BVD, LLC:** Ryan D Zick rzick@ppplaw.com, kstewart@ppplaw.com